

MORGANTOWN PLANNING COMMISSION

MINUTES

6:30 PM

September 11, 2014

Council Chambers

COMMISSIONERS PRESENT: Tim Stranko, William Blosser, Bill Kawecki, Sam Loretta, Ken Martis, Bill Petros, Carol Pyles, and Michael Shuman

COMMISSIONERS ABSENT: Peter DeMasters

STAFF PRESENT: Christopher Fletcher, AICP, Stacy Hollar

- I. **CALL TO ORDER/ROLL CALL:** Pyles called the meeting to order at 6:30 PM and read the standard explanation of the how the Planning Commission conducts business and rules for public comments.
- II. **GENERAL PUBLIC COMMENTS:** None
- III. **MATTERS OF BUSINESS:**
 - A. Approval of the June 12, 2014 meeting minutes: Stranko moved to approve the minutes as presented; seconded by Petro. Motion carried 7-1 with Kawecki abstaining due to his absence.
 - B. Approval of the August 14, 2014 meeting minutes: Kawecki moved to approve the minutes as presented; seconded by Shuman. Motion carried unanimously.
- IV. **UNFINISHED BUSINESS:** None
- V. **NEW BUSINESS:**
 - A. **S14-06-III / Morgantown Beauty College / 276 Walnut Street:** Request by Bob Lindsey of LAI Architects, Inc., on behalf of Mike Sodomice and the Morgantown Beauty College, for a Type III Site Plan approval of a Development of Significant Impact at 276 Walnut Street.; Tax Map 29, Parcels 27, 27.1 and 31; B-4, General Business District.

Fletcher presented the Staff Report.

Pyles recognized the petitioners' representative, Bob Lindsey of 327 Pricketts Fort Road in Fairmont, who stated the project will involve cleaning up the outside of the building and nothing exterior will change except the stair tower.

Stranko referred to adaptive reuse and asked Lindsey to clarify the term. Lindsey stated adaptive reuse is to reconfigure the interior space of an existing structure for new uses without losing the original contribution of the structure to the built environment. Plans are to restore the

building and bring all curriculums of the beauty college to the first two floors, which will open up additional space to provide housing in the remaining area at the rear.

Kawecki asked if the upper level is part of the college. Lindsey confirmed and noted the upper level is a conference area. Kawecki asked if there was a projected use for that space. Lindsey noted there have been discussions on leasing the space but nothing is confirmed at this time.

Stranko referred to the Site Plan and asked for clarification on the green screen. Lindsey explained the green screen was requested by the Design Review Committee to be moved and will now be utilized in the rear parking area where students congregate. Stranko asked if it would be a twelve month plant. Lindsey confirmed and noted they are still searching for the right plant to fit the seasons.

There being no further comments or questions by the Commission, Pyles asked if anyone was present to speak in favor of or in opposition to the petition.

Pyles recognized Terri Cutwright, Executive Director of Main Street Morgantown, who stated she supports the project and noted the developer does excellent projects. This development is a historic tax credit project and will be following the Secretary of the Interior's historic preservation standards.

There being no further public comments, Pyles declared the public hearing closed and asked for Staff recommendations.

Fletcher read the Staff recommendations.

Stranko moved to approve Case No. S14-06-III as requested with Staff recommended conditions; seconded by Petros. Motion carried unanimously.

- B. S14-07-III / CA Student Living / 494 Spruce Street:** Request by Lisa Mardis of Project Management Services, on behalf of CA Student Living, for approval of a Type III Site Plan approval of a Development of Significant Impact at 494 Spruce Street; Tax Map 26, Parcels 245 and 246; B-4, General Business District.

Fletcher presented the Staff Report.

Pyles recognized the petitioner's representatives; Dan Hrankowsky, Mike Yagle, and Dave McHenry.

Hrankowsky presented a PowerPoint presentation to explain the changes to the Site Plan that were previously presented at the June 2014 Planning Commission hearing. Hrankowsky noted there have been various design changes which includes a reduced bulk to the building, a more comfortable exterior material palate, and additional parking and loading spaces which eliminated the need for variances previously requested.

McHenry referred to the PowerPoint presentation to further explain the building design comparisons from the original plan and an illustration of how the building would fit into the surrounding environment.

Hrankowsky presented the traffic analysis and the changes from the previous proposal.

Yager referred to the presentation to explain the safety considerations and noted there would be approximately 75 cameras throughout the building and accesses would be through key fob cards.

McHenry explained the mitigating canyon effects with airflow and sunlight analysis and the changes to the original proposal.

Hrankowsky referred to the presentation to explain the community and economic benefits and noted there were no changes to the economic impacts from the previous proposal.

Martis asked if there would be deeper digging into the ground than the previous proposal. Hrankowsky confirmed.

Martis referred to the 75 cameras to be installed and asked who would be monitoring the footage. Yagle explained the recording of the video will not be monitored but is more of a proactive approach to control visitors and encourage positive behavior.

Martis asked if the cameras were there as a deterrent and to serve as a historical document in the event something happens. Yagle confirmed.

Yagle explained that management may request that cameras be monitored during peak times of activity, such as home football games.

Loretta asked if security officers will be patrolling the building. Yagle explained there will be security officers on site at peak times which include Thursday, Friday and Saturday nights.

Petros stated the new design elements look better and is appreciative of the developer's efforts.

Petros asked how one would maneuver their vehicle when dropping someone off at the entrance of Willey and High Street. McHenry referred to the PowerPoint slide to explain the different areas that could be used for vehicles when dropping tenants off.

Stranko asked if utilities would be buried underground. Hrankowsky referred to the Staff Report and notes one of the conditions would be to bury the utilities.

Stranko referred to the green screen and stated it would be a monument within the City and asked for type of foliage that would be planted. McHenry explained they would use a landscape architect that would decide the best foliage to thrive year round.

Stranko noted the area would be a yellow curb area and asked if communication has been made with the Engineering Department to arrange for proper signage.

Hrankowsky referred to the PowerPoint slide to explain the curb cut off of Spruce Street and noted the 17-foot setback improves the vehicular view from the corner.

Stranko stated that residents need to know that traffic will flow at that intersection and vehicular movement is a critical part to the project.

Hrankowsky explained that a formal application to the DOH will be submitted and they are willing to make modifications when requested.

Stranko asked if there would be a manager on site at all times that would report to a regional manager in Chicago. Yager confirmed.

Yager explained that management will be strict and if a lease is violated then the tenant will be asked to leave.

Stranko asked what amenities were missing in Downtown Morgantown that would make it easy to market the property. Yager explained the location of the property being close to campus and downtown is sufficient in itself to market the property as students are more successful when living close to campus.

Stranko stated there is not a full service supermarket in the downtown area but noted that may not be the way college students shop. Yager agreed and expressed that most college students prefer take-out and would shop at the future CVS store that will be located across the street from the property.

Stranko referred to the monumental stairs and asked if the design had a functional purpose other than an aesthetic choice. Yager explained the stairs and lobby were designed to control pedestrian flow on days when busy events occur, such as football games.

Pyles asked if tenants would have to go to the front entrance from the parking area for admittance into the building. Yager explained that tenants will be able to enter the building from the parking area with a key fob controlled access.

Blosser asked if there was wheel chair access from Spruce Street. Hrankowsky confirmed and referred to the PowerPoint presentation to show the point of access from Willey Street and from the parking garage.

Blosser referred to the driveway coming up from Spruce Street and asked if that would be accessible to residents as well. Hrankowsky stated the area would be egress only and tenants would not be permitted onto the property from that entrance.

Stranko asked if there would be an audible alarm to notify pedestrians of oncoming vehicles. Hrankowsky confirmed.

Hrankowsky explained the positioning of the gate exiting onto Spruce Street.

Loretta asked when construction would start if approved. Hrankowsky explained that March of 2015 would be the latest start day to complete the project by fall of 2016.

Loretta asked if approvals are required for the underground utilities. Hrankowsky explained they will go through the process of getting approvals, etc. for the underground utilities and it is a lengthy process.

Loretta asked if they would be using local construction companies for the project. Hrankowsky confirmed and stated that local expertise is preferred.

There being no further comments or questions by the Commission, Pyles asked if anyone was present to speak in favor of or in opposition to the petition.

Charles McEwuen of 324 Grandview Avenue who stated he is the Chairman of the Morgantown Parking Authority and encouraged the development to strengthen the economy in

the downtown area. Downtown Morgantown must adapt to changes and take advantage of this opportunity that will help the downtown grow stronger.

Daniel Kimble, President of Morgantown Area Chamber of Commerce, stated that to have a vibrant downtown that is both aesthetically pleasing and economically strong, the community must seek a greater population density. The Morgantown Area Chamber of Commerce encourages area government entities to embrace business opportunities that work to meet reasonable requirements and is in support of the proposed development.

[inaudible] of 424 Brockway Avenue stated he works with the Jewish students of WVU and believes the proposed project increases the supply and would ultimately decrease the demand which will be better for all tenants.

Terri Cutwright, Executive Director of Main Street Morgantown referred to the two letters that were submitted to Staff and asked Commissioners to take note of the area where it talks about increased residential density in the downtown area when considering the project. Cutwright referred to economic development trends on a national, state and local level and expressed that the project would be great for the City as it would bring more people to the downtown area and increase economic development.

Vickie Adams, President of the house corporation board for Alpha Phi Sorority located at 261 Willey Street, stated that she has met with the developers and is happy with changes in designs to the building and the addition of strict security measures to the property. Developers informed her that her property would increase in value and have agreed to work with the house corporation board and sorority to share their resources and space for the benefit of their members. Therefore, in appreciation to the building redesign and commitments made by the developer, she rescinded her opposition to the project.

Reverend Dr. Shelly Barrick Parsons, who is the Director of the Campus Ministry Center at 293 Willey Street, stated she has serious concerns with the height of the building and scope of the project relative to her nationally registered historic building and the damage it could do to the green space on her property. Parsons expressed concerns with ingress and egress to the building with the access road on Price and Willey Streets, the relationship with the daycare students being surrounded by college students, and noted the development would not be mixed use as it would not include families but only college students. Parsons stated she did not feel the proposed development follows the Downtown Strategic Plan.

David Biafora of 6200 MidAtlantic Drive stated the project is too big for the lot and noted there are contaminated gas tanks on the property. The revisions are minor and suggested the project be cut in half as they would still do well. The project does not follow the Comprehensive Plan and includes poor planning in a B-4 District as it should include commercial development.

Bryan Edwards of 1200 Dorsey Avenue stated the proposed project is a major development of significant impact as it has significantly more than the requirement of 100,000 gross square feet. Therefore, the Planning Commission should not consider the proposed mixed-use project unless it meets all of the code requirements. The Staff Report acknowledges that the proposed building does not comply with the City's Comprehensive Plan as it refers to building height and Article 1329.01(H) states the words shall is always mandatory and not discretionary and therefore the Planning Commission can't ignore what is set forth in the Comprehensive Plan as it would be arbitrary and capricious.

There being no further comments, Pyles declared the public hearing closed and offered a five minute rebuttal by the petitioner.

Hrankowsky referred to the Staff Report and expressed the project falls under the mixed-use dwelling guidelines as it is a residential building with retail space on the ground floor. The topography of the area presents challenges for the site and the retail on the ground floor would activate the street corner. There are no measurable variances associated with the project and they have been able to comply with the suggested guidelines listed in the Comprehensive Plan. The Downtown Strategic Plan is more of a suggestive plan for the area and does not recognize individual lots. The intersection is a high intensity gateway to the downtown area and is a good opportunity for higher density population.

Fletcher read the Staff recommendations.

Stranko asked if specific plants will be listed when a final landscape plan is submitted. Fletcher confirmed.

Stranko referred to the traffic on Willey Street and asked how the DOH could assure and provide guidance that the traffic will flow at the intersections and the corridors will remain unblocked. Fletcher noted that a person would be breaking the law if they would stop at the intersection to pick up or drop off. Fletcher stated he will bring the issue to DOH's attention as access permits are still being processed.

Stranko asked if relying on City administration to correspond with DOH without including as a condition would be appropriate. Fletcher noted that if the Commission approves the project then City Administration would work with DOH to mitigate potential traffic concerns.

Martis stated he voted against the initial project as the initial design was too big. The new proposal eliminates the pool and the design of the terrace mitigates potential problems with the daycare. The parking now meets code and there is retail off of Spruce Street. Smart development is needed within the City limits to renew the City and therefore he would now vote in favor of the proposed project.

Stranko moved to approve Case No. S14-07-III as requested with Staff recommended conditions; seconded by Petros. Motion carried 5-3, with Loretta, Shuman and Pyles voting nay.

- C. MNS14-05 / CA Student Living / 494 Spruce Street:** Request by Lisa Mardis of Project Management Services, on behalf of CA Student Living, for minor subdivision approval of property located at 494 Spruce Street; Tax Map 26, Parcels 245 and 246; B-4, General Business District.

Fletcher presented the Staff Report.

Pyles recognized Dan Hrankowsky of CA Student Living who concurred with the Staff Report.

There being no comments or questions by the Commission, Pyles asked if anyone was present to speak in favor of or in opposition to the petition. There being no public comments, Pyles declared the public hearing closed and asked for Staff recommendations.

Fletcher read the Staff recommendations.

Stranko moved to approve Case No. MNS14-05 as requested with Staff recommended conditions; seconded by Petros. Motion carried 6-2 with Loretta and Shuman voting nay.

- D. RZ14-07 / Administrative / Airport Overlay District:** Administratively requested Zoning Map Amendment to create an Airport Overlay District that considers safety issues and prevents hazards in proximity to the Morgantown Municipal Airport for the purpose of protecting public health, public safety and general welfare and the region served by the Morgantown Municipal Airport.

Fletcher presented the Staff Report.

Martis asked why this is taking place now and if an airport expansion planned. Fletcher noted the City has aggressively initiated the airport expansion process that will take several years to complete.

Blosser asked if there were plans for constructing another runway. Fletcher stated there are no plans at this time.

Kawecki asked if this was the most expeditious way to protect the air space. Fletcher confirmed.

There being no further comments or questions by the Commission, Pyles asked if anyone was present to speak in favor of or in opposition to the petition. There being none, Pyles declared the public hearing closed and asked for Staff recommendations.

Fletcher read the Staff recommendations.

Kawecki moved to send a recommendation to the City Council to approve Case No. RZ14-07 as presented in the Staff Report; seconded by Blosser. Motion carried unanimously.

VI. OTHER BUSINESS:

A. Committee Reports

- Traffic Commission: Blosser noted the Traffic Commission has requested studies for Southview Avenue and Darst Street due to increased traffic in the residential areas.
- Green Team: None.

B. Staff Comments: None.

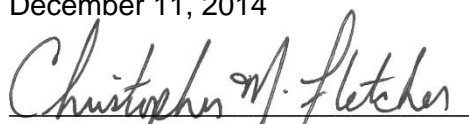
VII. FOR THE GOOD OF THE COMMISSION: None.

VIII. ADJOURNMENT: 8:51 PM

MINUTES APPROVED:

December 11, 2014

COMMISSION SECRETARY:


Christopher M. Fletcher, AICP